

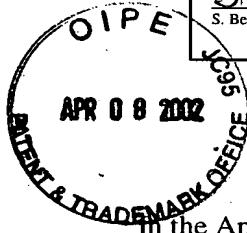
RECEIVED RECEIVED #4  
APR 11 2002 MAY 03 2002  
TECH CENTER 1600/2900 TECH CENTER 1600/2900  
Case 7906445-15-02

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S. Beth Slovacek  
S. Beth Slovacek

APR 08 2002

C95



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
in the Application of

deLong et al : Confirmation No.: 3530  
Serial No.: 09/774,558 : Group Art Unit: 1616  
Filed: January 31, 2001 : Examiner: Barbara P. Radio

For: COMPOSITIONS AND METHODS FOR TREATING HAIR LOSS USING  
C<sub>16</sub> – C<sub>20</sub> AROMATIC TETRAHYDRO PROSTAGLANDINS

RESPONSE TO OFFICE ACTION – RESTRICTION REQUIREMENT

The Assistant Commissioner For Patents  
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated November 29, 2001, in which restriction was required to one of four groups:

- Group I – Claims 1-21, drawn to a topical composition, Class 424/400+;
- Group II – Claims 22-43, drawn to a method of treating hair loss, Class 424/70.1+;
- Group III – Claim 43, drawn to a mascara composition, Class 424/70.7+;
- Group IV – Claim 44, drawn to a method of darkening hair, Class 424/70.6+  
Group V – Claim 44, drawn to a method of thickening hair, Class 424/70.1+

Applicants elect Group I without traverse.

In response to the Examiner's requirement for an election of species, Applicants elect the species disclosed as Example I on pages 36-37 of the specification, which corresponds to the formula in Claim 1 wherein:

R<sup>1</sup> = CO<sub>2</sub>R<sup>5</sup>, wherein R<sup>5</sup> = a monovalent hydrocarbon, CH(CH<sub>3</sub>)<sub>2</sub>;

R<sup>2</sup> = H

X = OR<sup>8</sup>, wherein R<sup>8</sup> = H

R<sup>3</sup> = H

R<sup>4</sup> = H

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Y = a sulfur-containing moiety (S) and  
Z = an aromatic group (phenyl).

A petition for an extension of time to extend the period for response for three (3) months, through March 29, 2002, is included in the attached transmittal letter.

Respectfully submitted,

By

A handwritten signature in black ink, appearing to read "Leonard W. Lewis".

Leonard W. Lewis  
Attorney for Applicant  
Registration No. 30,769  
(513) 634-5649  
Customer Number 27752

March 27, 2002

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT (\$920.00)

Complete if Known		TECH CENTER 1600/2900	APR 11 2002	RECEIVED
Application Number	09/774,558-555			
Confirmation Number	3530			
Filing Date	January 31, 2001			
First Named Inventor	deLong, et al.			
Examiner Name	Barbara P. Badio			
Group/Art Unit	1616			
Attorney Docket No.	7996			

## METHOD OF PAYMENT (check one)

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  
 Deposit Account Number 16-2480  
 Deposit Account Name The Procter & Gamble Company  
 Charge Any Additional Fee Required Under status. 37 C.F.R. §§1.16 and 1.17

## FEE CALCULATION

## 1. BASIC FILING FEE - Large Entity

Code (\$)	Fee Description	Fee Paid
101 740	Utility filing fee	<input type="checkbox"/>
106 330	Design filing fee	<input type="checkbox"/>
108 740	Reissue filing fee	<input type="checkbox"/>
114 160	Provisional filing fee	<input type="checkbox"/>

SUBTOTAL (1) (\$920.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE - Large Entity

	Extra Claims	Fee from Below	Fee Paid
Total Claims	<input type="checkbox"/> - 20** =	<input type="checkbox"/> x	<input type="checkbox"/> = <input type="checkbox"/>

Independent Claims  - 3\*\* =  x  = Multiple Dependent  = 

\*\* or number previously paid, if greater; For Reissues, see below

Code (\$)	Fee Description
103 18	Claims in excess of 20
102 84	Independent claims in excess of 3
104 280	Multiple dependent claim, if not paid
109 84	**Reissue independent claims over original patent
110 18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$920.00)

## FEE CALCULATION (continued)

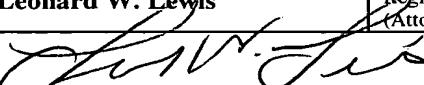
## 3. ADDITIONAL FEES

Code (\$)	Fee Description	Fee Paid
105 130	Surcharge-late filing fee or oath	<input type="checkbox"/>
127 50	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>
139 130	Non-English specification	<input type="checkbox"/>
147 2,520	For filing a request for <i>ex parte</i> reexamination	<input type="checkbox"/>
112 920*	Requesting publication of SIR prior to Examiner's action	<input type="checkbox"/>
113 1,840*	Requesting publication of SIR after Examiner's action	<input type="checkbox"/>
115 110	Extension for reply within 1 <sup>st</sup> month	<input type="checkbox"/>
116 400	Extension for reply within 2 <sup>nd</sup> month	<input type="checkbox"/>
117 920	Extension for reply within 3 <sup>rd</sup> month	<input checked="" type="checkbox"/>
118 1,440	Extension for reply within 4 <sup>th</sup> month	<input type="checkbox"/>
128 1,960	Extension for reply within 5 <sup>th</sup> month	<input type="checkbox"/>
119 320	Notice of Appeal	<input type="checkbox"/>
120 320	Filing a brief in support of an appeal	<input type="checkbox"/>
121 280	Request for oral hearing	<input type="checkbox"/>
138 1,510	Petition to institute a public use proceeding	<input type="checkbox"/>
140 110	Petition to revive - unavoidable	<input type="checkbox"/>
141 1,280	Petition to revive - unintentional	<input type="checkbox"/>
142 1,280	Utility issue fee (or reissue)	<input type="checkbox"/>
143 460	Design issue fee	<input type="checkbox"/>
122 130	Petitions to the Commissioner	<input type="checkbox"/>
123 50	Petitions related to provisional applications (37 C.F.R. 1.17(q))	<input type="checkbox"/>
126 180	Submission of Information Disclosure Statement	<input type="checkbox"/>
146 740	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>
149 740	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>
179 740	Request for Continued Examination (RCE)	<input type="checkbox"/>
169 900	Request for expedited examination of a design application	<input type="checkbox"/>
091 1280	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>
Other fee (specify) _____		<input type="checkbox"/>
Other fee (specify) _____		<input type="checkbox"/>

\* Reduced by Basic Filing Fee Paid

SUBTOTAL(3) (\$920.00)

Complete (if applicable)

Name (Print/Type)	Leonard W. Lewis	Registration No. (Attorney/Agent)	30,769	Telephone	(513) 634-5649
Signature				Date	March 27, 2002

WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

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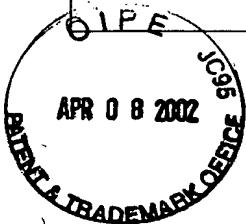
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S. Beth Slovacek  
S. Beth Slovacek



IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
RESPONSE/AMENDMENT

Case Docket No. 7996

THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

Inventor(s): deLong, et al. Confirmation No. 3530

Serial No.: 09/774,558 Group Art Unit: 1616

Date Filed: January 31, 2001 Examiner: Barbara P. Badio

Title: COMPOSITIONS AND METHODS FOR TREATING HAIR LOSS USING C<sub>16</sub> – C<sub>20</sub>

AROMATIC TETRAHYDRO PROSTAGLANDINS

1.  No additional fee is known to be required.
2.  The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated November 29, 2001 in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$920.00 for a three-month extension of time.
3. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
  - a.  Any patent application processing fees under 37 CFR §1.16.
  - b.  Any patent application processing fees under 37 CFR §1.17.
4. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

Leonard W. Lewis  
Attorney or Agent for Applicant(s)  
Registration No. 30,769  
Tel. No. (513) 634-5649

Date: March 27, 2002

Customer No. 27752